## **EXHIBIT A**

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### BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

## **DECEMBER 11, 2008**<sup>1</sup>

#### NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

September 17, 2009

Ronnie Sue Ambrosino 13640C Coconut Palm Court Delray Beach, FL 33484

Dear Ms. Ambrosino:

#### PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claims on BLMIS Account No. 1L0143 designated as Claim Number 004082 and Claim Number 100354 and are combined ("Combined Claim") for purposes of this determination. This letter shall serve as the Trustee's determination with respect to the Combined Claim:

Your Combined Claim for securities is **DENIED**. No securities were ever purchased for your account.

Your Combined Claim is **ALLOWED** for \$135,000 (the "Allowed Claim"), which was the balance in your BLMIS Account on the Filing Date based on the amount of money you deposited with BLMIS for the purchase of securities, <u>less</u> subsequent withdrawals, as outlined in Table 1.

<sup>1</sup> Section 78*lll*(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78eee(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 78*lll*(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

DATE	TRANSACTION DESCRIPTION	AMOUNT	ADJUSTED AMOUNT
7/24/1997	TRANS FROM 1L007210	\$381,635.08	\$220,000.00
4/27/1998	CHECK	\$50,000.00	\$50,000.00
1/3/2003	ÇHECK	\$85,000.00	\$85,000.00
12/1/2004	CHECK	\$180,000.00	\$180,000.00
12/1/2004	CHECK	\$60,000.00	\$60,000.00
Total Deposits:		\$756,635.08	\$595,000.00
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DATE	TRANSACTION DESCRIPTION	AMOUNT	ADJUSTED AMOUNT
8/17/1999	CHECK	(\$30,000.00)	(430,000,00)
-, ,		(420,000,00)	(\$30,000.00)
6/27/2000	CHECK	(\$25,000.00)	(\$30,000.00) (\$25,000.00)
		(\$25,000.00)	(\$25,000.00)
6/27/2000	CHECK		(\$25,000.00) (\$140,000.00)
6/27/2000 6/28/2004	CHECK CHECK	(\$25,000.00) (\$140,000.00)	(\$25,000.00)
6/27/2000 6/28/2004 3/6/2006	CHECK CHECK	(\$25,000.00) (\$140,000.00) (\$30,000.00)	(\$25,000.00) (\$140,000.00) (\$30,000.00) (\$30,000.00)
6/27/2000 6/28/2004 3/6/2006 6/23/2006	CHECK CHECK CHECK	(\$25,000.00) (\$140,000.00) (\$30,000.00) (\$30,000.00)	(\$25,000.00) (\$140,000.00) (\$30,000.00)
6/27/2000 6/28/2004 3/6/2006 6/23/2006 12/27/2006	CHECK CHECK CHECK CHECK	(\$25,000.00) (\$140,000.00) (\$30,000.00) (\$30,000.00) (\$40,000.00)	(\$25,000.00) (\$140,000.00) (\$30,000.00) (\$30,000.00) (\$40,000.00)
6/27/2000 6/28/2004 3/6/2006 6/23/2006 12/27/2006 4/10/2007	CHECK CHECK CHECK CHECK CHECK CHECK	(\$25,000.00) (\$140,000.00) (\$30,000.00) (\$30,000.00) (\$40,000.00) (\$65,000.00)	(\$25,000.00) (\$140,000.00) (\$30,000.00) (\$30,000.00) (\$40,000.00) (\$65,000.00)
6/27/2000 6/28/2004 3/6/2006 6/23/2006 12/27/2006 4/10/2007 1/3/2008	CHECK CHECK CHECK CHECK CHECK CHECK CHECK	(\$25,000.00) (\$140,000.00) (\$30,000.00) (\$30,000.00) (\$40,000.00) (\$65,000.00) (\$50,000.00)	(\$25,000.00) (\$140,000.00) (\$30,000.00) (\$30,000.00) (\$40,000.00) (\$65,000.00) (\$50,000.00)

As reflected in Table 1, certain of the transfers into your account have been adjusted. As part of the Trustee's analysis of accounts, the Trustee has assessed accounts based on a money in/money out analysis (i.e., has the investor deposited more or less than he or she withdrew from BLMIS). This analysis allows the Trustee to determine which part of an account's balance is originally invested principal and which part is fictitious gains that were fabricated by BLMIS. A customer's allowed claim is based on the amount of principal in the customer's account.

When ever a customer requested a transfer from one account to another, the Trustee analyzed whether the transferor account had principal in the account at the time of the transfer. The available principal in the account was transferred to and credited in the transferee account. Thus, the reason that the adjusted amount of transferred deposits in Table 1 is less than the purported transfer amount is that the transferor account did not have sufficient principal available to effectuate the full transfer. The difference between the purported transfer amount and the adjusted transfer amount is the amount of fictitious gain that was transferred to you account. Under the money in/money out analysis, the Trustee does not give credit for fictitious gains in setting your allowed claim.

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Your ALLOWED CLAIM of \$135,000 will be satisfied in the following manner:

The enclosed **ASSIGNMENT AND RELEASE** must be executed, notarized and returned in the envelope provided herewith. Upon receipt of the executed and notarized **ASSIGNMENT AND RELEASE**, the Trustee will fully satisfy your **ALLOWED CLAIM** by sending you a check in the amount of \$135,000, with the funds being advanced by Securities Investor Protection Corporation pursuant to section 78fff-3(a)(1) of SIPA.

Should a final and unappealable court order determine that the Trustee is incorrect in his interpretation of "net equity" and its corresponding application to the determination of customer claims, the Trustee will be bound by that order and will apply it retroactively to all previously determined customer claims in accordance with the Court's order. Nothing in this Notice of Trustee's Determination of Claim shall be construed as a waiver of any rights or claims held by you in having your customer claim re-determined in accordance with any such Court order.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you <u>MUST</u> file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court and the Trustee within **THIRTY DAYS** after September 17, 2009, the date on which the Trustee mailed this notice.

**PLEASE TAKE FURTHER NOTICE:** If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

**PLEASE TAKE FURTHER NOTICE:** If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

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**PLEASE TAKE FURTHER NOTICE:** You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for the Southern District of New York One Bowling Green New York, New York 10004

and

Irving H. Picard, Trustee c/o Baker & Hostetler LLP 45 Rockefeller Plaza New York, New York 10011

Irving H. Picard

Trustee for the Liquidation of the Business of Bernard L. Madoff Investment Securities LLC

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789-BRL SIPA Liquidation

### ASSIGNMENT AND RELEASE

KNOW ALL MEN BY THESE PRESENTS, that Ronnie Sue Ambrosino, located at 13640C Coconut Palm Court, Delray Beach, FL, 33484 (hereinafter referred to as the "Assignor") in consideration of the payment of \$135,000 to satisfy her claims for customer protection (the "Customer Claim", having been designated Claim # 004082 and Claim #100354 and combined for purposes of the Trustee's Determination) filed in the liquidation proceeding of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act, 15 U.S.C. §78aaa et seq. ("SIPA") (see §§78fff-2(b), 78fff-2(d), and §78fff-3(a)(1) of SIPA), does for herself hereby assign, transfer and set over to Irving H. Picard as SIPA Trustee (the "SIPA Trustee") for the liquidation of BLMIS (see §78fff-2(b) of SIPA), and the Securities Investor Protection Corporation ("SIPC"), as subrogee to the extent of its cash advances to the SIPA Trustee for the satisfaction of the aforementioned Customer Claim (see §78fff-3(a)(1) of SIPA), any and all rights, including causes of action or claims, that Assignor now may have against BLMIS and/or any third party arising out of or relating to any fraudulent or illegal activity with respect to Assignor's BLMIS account (Account No. 1L0143, the "BLMIS Account"), which gave

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circumstances giving rise to said Customer Claim which the Assignor now has, or hereafter may have, for or by any reason, cause, matter or thing whatsoever from the beginning of the world to the date of the execution of this Assignment and Release, only to the extent that the SIPA Trustee and/or SIPC has paid monies to the Assignor to satisfy Assignor's Customer Claim.

Should a final and unappealable court order determine that the Trustee is incorrect in his interpretation of "net equity" and its corresponding application to the determination of customer claims, the Trustee will be bound by that order and will apply it retroactively to all previously determined customer claims in accordance with the Court's order. Nothing in this Assignment and Release shall be construed as a waiver of any rights or claims held by Assignor in having [his/her/its] customer claim re-determined in accordance with any such Court order.

Assignor acknowledges the sufficiency of the consideration to be received in accordance with the SIPA Trustee's Determination and under this Assignment and Release.

IN WITNESS WHEREOF, the undersigned has on this day set forth below duly executed this Assignment of Assignor's Customer Claim and Release, intending to be legally bound hereby.

	By:
	Ronnie Sue Ambrosino
Sworn and subscribed before me this day of, 2009.	
Notary Public	